

### **REMARKS/ARGUMENTS**

Applicant thanks the Examiner for the Office Action dated October 9, 2007. In response to the issues raised, we offer the following submissions and amendments.

#### **Amendments**

The claims have been amended such their respective scopes are no longer co-terminous with any of the claims in US 6,672,709 and US 6,824,246. Independent claims 1, 16 and 31 have recast the invention.

Accordingly, the amendments do not add any new matter.

#### **35USC§101 - Statutory Double Patenting**

Claims 1, 2, 4 – 10, 12 – 17, 19 – 25, 27 – 32 and 34 – 39, 41 – 44 stand rejected as having scopes of identical extent as the claims of US 6,672,709. As discussed above, the amended claims have recast the definition of the invention such that the respective scopes of the present claims are not co-terminous with any of the claims granted in US 6,672,709. The Terminal Disclaimer to US 6,672,709 filed with our previous submissions prevents any unjustified extension of exclusive rights or harassment from multiple assignees.

#### **Non-Statutory Double Patenting**

Claims 1, 2, 4 – 10, 12 – 17, 19 – 25, 27 – 32 and 34 – 39, 41 – 44 stand rejected as patentably indistinct from the claims of US 6,824,246. The Terminal Disclaimer to US 6,824,246 filed with our previous submissions prevents any unjustified extension of exclusive rights or harassment from multiple assignees.

#### **Conclusion**

It is respectfully submitted that the Examiner's rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,

Applicant/s:



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